

11-28-00

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11/27/00
jc658 U.S. PRO
PTO

In Re Application of: Broome et al.

Examiner in immediately preceding parent appln.: Smith, J.

Serial No.: unknown

Anticipated Group Art Unit: 3732

Filed: November 27, 2000

For: DISTAL PROTECTION DEVICE AND METHOD

Docket No.: 1001.1350102

TRANSMITTAL SHEET

The Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EL593905773US, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this 27th day of November, 2000.

By _____

Lisa A. Dahline

We are transmitting herewith the attached Continuation Patent Application filed under 37 CFR §1.53(b), including the following:

- [X] 24 sheet(s) of specification.
- [X] 5 sheet(s) of claim(s).
- [X] 1 sheet(s) of Abstract.
- [X] 20 sheet(s) of formal/informal drawings.
- [X] Executed Declaration and Power of Attorney.
- [] A verified statement(s) to establish small entity status under 37 C.F.R. 1.9 and/or 1.27 is enclosed.
- [] An Assignment of the invention to _____ is being filed contemporaneous with this patent application.
- [] A certified copy of a _____ application, serial no. _____, filed _____, 19_____, the right of priority of which is claimed under 35 U.S.C. 119.

jc658 U.S. PRO
09/723003
11/27/00

CLAIMS AS FILED

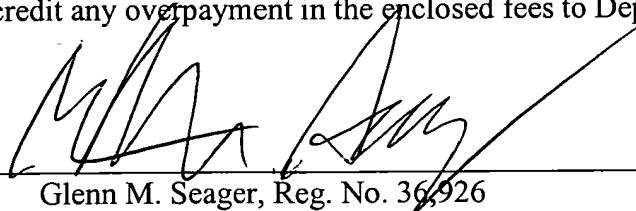
	(1)	(2)	SMALL ENTITY		OTHER	
FOR:	# FILED	# EXTRA	Rate	Fee	Rate	Fee
BASIC FEE				\$355		\$710
TOTAL CLAIMS	-20 =		x9=	\$	x18=	\$
INDEPENDENT CLAIMS	-3 =		x40=	\$	x80=	\$
() MULTIPLE DEPENDENT CLAIM PRESENTED			+135=	\$	+270=	\$
TOTAL			\$		\$	

*If the difference in Column (1) is less than zero, enter "0" in Column 2.

[X] Other Copy of a Revocation of Prior Powers of Attorney and Power of Attorney and twelve (12) sheets of formal drawings.

[X] A check in the amount of \$ 710.00 is enclosed.

[X] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: 

Glenn M. Seager, Reg. No. 36,926

CROMPTON, SEAGER & TUFTE, LLC
 331 Second Avenue South
 Suite 895
 Minneapolis, Minnesota 55401-2246
 Tel: (612) 677-9050
 Fax: (612) 359-9349

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Broome et al.

Serial No.: unknown

Filed: November 27, 2000

Examiner in immediately
preceding parent appln.: Smith, J.

Anticipated Group Art Unit: 3732

For: DISTAL PROTECTION DEVICE AND METHOD

Docket No.: 1001.1350102

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of :
EL593905773US, in an envelope address to: Assistant Commissioner for Patents,
Washington, D.C., 20231 on this 27th day of November, 2000.

By _____

Lisa A. Dahline

This is a request for filing a continuation application, under 37 CFR §1.53(b), of pending prior application Serial No. 09/035,740 filed on March 5, 1998, for an invention entitled DISTAL PROTECTION DEVICE AND METHOD.

1. Enclosed is a copy of the prior application, including the inventor's DECLARATION of Thomas E. Broome, John M.K. Daniel and Thomas R. Hektner, as originally filed on August 10, 1998.
2. I hereby verify that the enclosed papers are a true copy of prior application Serial No. 09/035,740 as filed on March 5, 1998, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
3. Cancel in this application original Claims 2-21 of the prior application before calculating the filing fee. At least one original independent claim has been retained for filing purposes.

Jc658 U.S. Pro
09/723003
11/27/00



4. The filing fee is calculated below:

CLAIMS AS FILED		(1) No. Filed	(2) No. Extra	SMALL ENTITY		OTHER	
FOR:	RATE	Fee	Rate	Fee			
BASIC FEE	XXXXXX	XXXXXX	XXXXXX	\$355	XXXXXX	\$710	
TOTAL CLAIMS	1 -20=	0	X 9=	\$	X 18=	\$0	
INDEPENDENT CLAIMS	1 - 3=	0	X 40=	\$	X 80=	\$0	
() MULTIPLE DEPENDENT CLAIM PRESENTED			+135=	\$	+270=	\$0	
TOTAL				\$	XXXXXX	\$710	

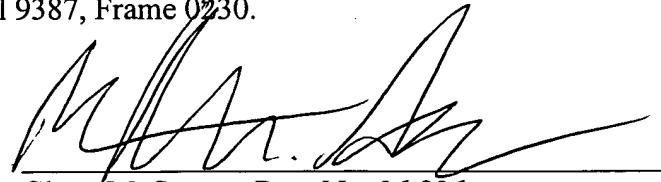
5. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0413.
6. A check in the amount of \$ 710.00 is enclosed to cover the filing fee.
7. Amend the specification by inserting, immediately following "Cross-Reference to Related Application" at page 1, line 3, the following: "This application is a continuation of U.S. Application Serial No. 09/035,740, filed March 5, 1998, which in turn [This application] claims priority to copending....."
8. Please find enclosed twelve (12) sheets of drawings.
9. The power of attorney in the prior application is to Glenn M. Seager. The power appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:

Glenn M. Seager
CROMPTON, SEAGER & TUFTE, LLC
331 Second Avenue South
Suite 895
Minneapolis, MN 55401

10. A copy of a Revocation of Prior Powers of Attorney and Power of Attorney is attached.

11. This patent application is assigned to SciMed Life Systems, Inc., pursuant to the Assignment recorded at Reel 9387, Frame 0230.

Nov. 27, 2000
(Date)



Glenn M. Seager, Reg. No. 36,926
CROMPTON, SEAGER & TUFTE, LLC
331 Second Avenue South
Suite 895
Minneapolis, MN 55401
Telephone: (612) 677-9050
Facsimile: (612) 359-9349